



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUN 30 2004

BY FACSIMILE (405-272-9859) AND FIRST CLASS MAIL

John W. Coyle, Esquire
Coyle McCoy & Burton
119 N. Robinson, Suite 320
Oklahoma City, OK 73102

RE: MUR 4818
Edith Susie Beavers

Dear Mr. Coyle:

On June 2, 2004, the Federal Election Commission accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. *See* 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please be advised that the civil penalty in this agreement is due ninety (90) days from the effective date of the agreement. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, reading "Margaret J. Toalson".

Margaret J. Toalson
Attorney

Enclosure
Conciliation Agreement

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Edith Susie Beavers

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MUR 4818

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Edith Susie Beavers ("Respondent") knowingly and willfully violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended (the "Act").

NOW, THEREFORE, the Commission and the Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) and 11 C.F.R. § 111.18(d).
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:

Actors

1. Walter L. Roberts was a candidate for Oklahoma's Third Congressional District in 1998. Roberts is also an artist and was the owner of an auction company ("Auction Company") located in McAlester, Oklahoma.

2. Walt Roberts for Congress (the "Committee") was the political committee within the meaning of 2 U.S.C. § 431(4) for Roberts.
3. The primary election for the Democratic nomination to represent Oklahoma's Third Congressional District, which Roberts ran in, occurred on August 25, 1998. Roberts received the most votes in the primary, but not enough to avoid a runoff election, held on September 15, 1998. The general election occurred on November 3, 1998.
4. Gene Stipe was the founder of The Stipe Law Firm (the "Firm") located in McAlester, Oklahoma, where he was a senior partner until 2003. Gene Stipe was also an Oklahoma state senator representing a portion of Southeastern Oklahoma, and a friend to Roberts.
5. Charlene Spears was an employee at the Firm and Gene Stipe's personal assistant. Spears was involved in the Roberts' campaign, making decisions on campaign purchases, instructing staff, and handling some of the campaign's banking.
6. Paul Beavers is an acquaintance of Stipe and has transacted business with Stipe in the past. Edith "Susie" Beavers was Paul Beavers' wife, is an acquaintance of Stipe, and has transacted business with Stipe in the past. Joey Smith is Susie Beavers' youngest child. Jessie North is Susie Beavers' brother and Tina North is Susie Beavers' niece.

Applicable Law

7. The Act makes it unlawful for any person to contribute more than \$1,000 per election to any candidate and his authorized political committee for Federal

office. 2 U.S.C. § 441a(a)(1)(A).

8. It is also unlawful for any person to make a contribution in the name of another, or for any person to knowingly permit his or her name to be used to make such a contribution. Moreover, no person may knowingly help or assist any person in making a contribution in the name of another. 2 U.S.C. § 441f; 11 C.F.R. § 110.4(b)(1)(iii).

Factual Background

9. In February 1998, Gene Stipe asked Paul Beavers to funnel money to the Committee that Stipe would later provide. Stipe asked Paul Beavers to recruit persons that could be used as straw-contributors using his money to the Committee.
10. Paul Beavers told Stipe that he found persons who would contribute his money to the Committee in their names. Stipe then provided Paul Beavers with two checks for \$7,500 each from Stipe's account, dated October 10, 1998, and October 14, 1998, with instructions for the Beavers to use the money to reimburse themselves and others for contributions to the Committee. Paul Beavers then provided the checks to Susie Beavers, which she endorsed and deposited into their joint checking account.
11. Both Paul Beavers and Susie Beavers then approached Jesse North, Brenda Smith, Tina Hurst and Joey Smith and asked if they would make contributions to the Committee with money they would provide from Stipe. Each person agreed and made contributions to the Committee using money provided.

Respondent also admits that Paul Beavers and Susie Beavers made their contributions to the Committee with money provided to them by Stipe.

12. As a result, the Committee reported these contributions as from the straw contributor and not the actual contributor, Gene Stipe, as follows:

Straw Contributor	Conduit	Amount of Contribution	Date of Contribution	Date Report filed with FEC
Paul Beavers	Paul Beavers	\$250	3/11/98	4/15/98
Paul Beavers	Paul Beavers	\$750	3/26/98	4/15/98
Paul Beavers	Paul Beavers	\$1,000	10/22/98	12/3/98
Paul Beavers	Paul Beavers	\$1,250	10/22/98	12/3/98
Edith Beavers	Edith Beavers	\$250	3/11/98	4/15/98
Edith Beavers	Edith Beavers	\$750	10/22/98	12/3/98
Edith Beavers	Edith Beavers	\$1,000	10/22/98	12/3/98
Edith Beavers	Edith Beavers	\$1,000	10/22/98	12/3/98
Jesse North	The Beavers	\$1,000	10/26/98	12/3/98
Jesse North	The Beavers	\$1,000	10/26/98	12/3/98
Jesse North	The Beavers	\$1,000	10/26/98	12/3/98
Brenda Smith	The Beavers	\$1,000	10/22/98	12/3/98
Brenda Smith	The Beavers	\$1,000	10/22/98	12/3/98
Tina Hurst	The Beavers	\$1,000	10/31/98	12/3/98
Joey Smith	The Beavers	\$1,000	10/22/98	12/3/98
Joey Smith	The Beavers	\$1,000	10/22/98	12/3/98
Joey Smith	The Beavers	\$1,000	10/22/98	12/3/98

13. Respondent knew that her contributions and those of the other straw contributors were illegal when they made them and assisted others in the making of them.

Violations

V. Respondent Edith Susie Beavers knowingly and willfully violated 2 U.S.C. § 441f by assisting Gene Stipe in the making of excessive contributions to Walt Roberts for Congress in the names of others. Respondent will cease and desist from violating 2 U.S.C. § 441f.

Civil Penalty

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Thirteen Thousand Five Hundred dollars (\$13,500.00), pursuant to 2 U.S.C.

§ 437g(a)(5)(B).

Other Provisions

VI. Respondent shall have no more than ninety days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement. Respondent contends that at the present time she is financially unable to pay the civil penalty stated above to the Commission. Due to ongoing proceedings in a non-FEC matter, Respondent intends to sell any assets necessary to pay the civil penalty to the Commission. The Commission understands that Respondent intends to file a motion with another court and to get authority from that court to sell these assets. Respondent shall keep the Commission fully informed of the status of all such proceedings. Respondent understands she must comply with and implement the requirements contained in this agreement notwithstanding the status of any such proceeding to sell Respondent's assets.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

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Edith Susie Beavers

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oral, made by either party or by agents of either party that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence H. Norton
General Counsel

BY:

Rhonda J. Vosdingh
Rhonda J. Vosdingh
Associate General Counsel
for Enforcement

6/24/04
Date

FOR THE RESPONDENT:

Edith Susie Beavers
Edith Susie Beavers

2-23-04
Date